United States District Court
Southern District of Texas
FILED
MAY - 8 2014
David J. Bradley, Clerk

United States District Court

SOUTHERN DISTRICT OF **TEXAS**

McALLEN DIVISION

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Ruben Lemus *PRINCIPAL* **United States**
A206 734 502 **YOB: 1996**

Case Number:
M-14-0912-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **May 6, 2014** in **Starr** County, in the Southern District of Texas defendants(s) did,
(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact that Monica Morales-Lopez and Dorita Sanchez-Sanchez, citizens and nationals of the United Mexican States, along with seven (7) other undocumented aliens, for a total of nine (9), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location in Rio Grande City, Texas, to the point of arrest in Rio Grande City, Texas,

in violation of Title **8** United States Code, Section(s) **1324(a)(1)(A)(ii)** **FELONY**
I further state that I am a(n) **U.S. Senior Border Patrol Agent** and that this complaint is based on the following facts:

On May 6, 2014 Border Patrol Agents (BPAs) R. Morales, J. Prado Jr., and C. Eggleston were conducting patrol duties in Rio Grande City, Texas, near the Retama Manor Nursing Home. This area is adjacent to the Rio Grande River and is a common crossing point for alien and narcotic smuggling. BPA Prado was observing the area and noticed several subjects emerge from the river bank and crawl through the brush to the nursing home parking lot. BPA Eggleston was also observing the area and noticed a blue Dodge Durango drive into the parking lot and stop in the corner where the subjects were laying.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint: [X] Yes [ ] No

Approved AUSA 5-8-14

[signature]
Signature of Complainant

Ricardo Ibañez Jr. Senior Patrol Agent
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

May 8, 2014 9:05 am at McAllen, Texas
Date City and State

Peter E. Ormsby , U. S. Magistrate Judge
Name and Title of Judicial Officer

[signature]
Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-14-0912-M

RE: Ruben Lemus A206 734 502

CONTINUATION:

The subjects then emerged once again from the brush and attempted to board the vehicle by pulling on the rear passenger door handle. BPA Eggleston approached the vehicle and identified himself as a Border Patrol Agent. Several of the subjects attempted to abscond and run back to the river area. After a short search, nine subjects were arrested and claimed to be in the United States illegally. BPA Eggleston proceeded to interview the driver of the Durango, identified as Ruben Lemus, due to his suspected involvement in alien smuggling.
Lemus claimed to be a United States citizen and was cooperative with Agents. All of the subjects were then transported for further questioning.

PRINCIPAL STATEMENT:

Ruben Lemus was advised of his Miranda Rights by BPA R. Morales. Lemus stated he understood his rights and was willing to provide a statement.

Lemus stated he is a United States citizen and resides in McAllen, Texas. He stated he was in Rio Grande City since he was hired to pick up illegal aliens and take them to Mission, Texas. LEMUS added he met a subject at the Wal-Mart in Rio Grande City and he showed him the location where he was going to pick up the subjects. LEMUS stated he was going to be paid $180 per person transported to Mission. He further stated he received a call and was told the area was clear so he drove to the area to pick up the subjects. He turned off his lights and waited but then the police (Border Patrol) arrived and arrested him.

MATERIAL WITNESS STATEMENTS:

Both material witnesses were read their Miranda Rights and agreed to answer questions.

Monica MORALES-Lopez claimed to be a citizen of Mexico and illegally entered into the United States. MORALES stated she has paid $300 and made arrangements to pay $3,500 once she was smuggled to her destination. She stated after making her entry with the other subjects, a foot guide told them to hide and a dark four door car was going to pick them up. The car arrived and the guide pointed and told them to run and get in the vehicle. She further stated the subjects did not get to board the vehicle since Agents came out of the brush from all directions. MORALES identified the vehicle Agents approached as being dark in color and the same one the foot guide directed them too.

Dorita SANCHEZ-Sanchez claimed to be a citizen of Mexico and illegally entered into the United States. SANCHEZ stated she had made arrangements to pay $4,400 to be smuggled to her destination. After her entry, a foot guide told them a blue Durango was going to pick them up and the driver knew where to take them. SANCHEZ stated the blue Durango was waiting for them and the foot guide told them to go inside the vehicle. They ran towards the Durango but were apprehended by Border Patrol. SANCHEZ stated she did not see the driver prior to her arrest.